

Town Board Minutes

The Municipal Review Committee

August 3, 2015

Meeting No. 24

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, acting as the Municipal Review Committee, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 3rd day of August 2015, at 6:00 PM and there were:

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
KRISTIN MCCracken, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
LEONARD CAMPISANO, ASST. CODE ENFORCEMENT OFFICER
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for two (2) actions.

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE**

Lancaster Dollar General

The Municipal Review Committee reviewed the Short Environmental Assessment Form on the Lancaster Dollar General matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled “Part 2 Environmental Assessment” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
John Dudziak, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.10 acres.

The location of the premises being reviewed is 6525 & 6529 Broadway, Lancaster, New York 14086, Erie County.

This project is described as the rezoning of 1.10 acres (including ROW) from NB (Neighborhood Business) to GB (General Business). Proposed improvements include a 9,100 s.f. retail building, parking for 31 vehicles, 1 dumpster enclosure and an onsite septic system. The project area covers both parcels 6525 & 6529 Broadway on the southwest corner of Broadway, Townline intersection.

THE FOLLOWING MOTION WAS OFFERED BY
PLANNING BOARD MEMBER MCCracken, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the Lancaster Dollar General matter identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project and issue a Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

- 1. The proposed rezone from Neighborhood Business (NB) to General Business (GB) will create a small material conflict with an adopted land use plan or zoning regulations.
- 2. The proposed action will result in a small change in the use or intensity of use of land.
- 3. The proposed action will not impair the character or quality of the existing community.
- 4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 5. The proposed action will result in a small adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
- 6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
- 7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
- 8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
- 9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
- 10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
- 11. The proposed action will not create a hazard to environmental resources or human health.

BE IT FURTHER

RESOLVED, that the MRC’s recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	VOTED	YES
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCracken	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

August 3, 2015

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE
Walden Avenue Patio Homes**

The Municipal Review Committee reviewed the Long Environmental Assessment Form on the Walden Avenue Patio Homes matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled “Part 2 Project Impacts and Their Magnitude” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
John Dudziak, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 10.12± acres.

The location of the premises being reviewed is 0 Walden Avenue, Lancaster, New York 14086, Erie County.

This project is described as the rezoning of the subject property from NB (Neighborhood Business) to MFR-3 (Multi-Family Residential 3). The area to be rezoned is 10.12± acres. The rezoning as proposed, would allow single family detached patio style homes to be constructed on private roads. As currently zoned, only attached dwelling units are allowed. The proposed development would consist of 29 dwelling units.

THE FOLLOWING MOTION WAS OFFERED BY
PLANNING BOARD CHAIRMAN CONNELLY WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the Walden Avenue Patio Homes identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project, and issue the following Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

- 1. A small impact on land is noted.**
 - Construction is on land where the depth to the water table is less than three feet and construction will continue for more than one year.
- 2. Impact on Geological Features – No impact**
- 3. A small impact on Surface Water is noted.**
 - A retention pond will be developed and there may be application of pesticide and herbicide for lawn care.
 - It is noted that wetlands shall be avoided.
- 4. Impact on Groundwater – No impact**
- 5. Impact on Flooding – No impact**
 - It is noted that 100 year and 500 year floodplains shall be avoided.
- 6. Impact on Air – No impact**
- 7. Impact on Plants and Animals**
 - None with proper timing of the removal of plants and trees.
- 8. Impact on Agricultural Resources – No impact**
- 9. Impact on Aesthetic Resources – No impact**
- 10. Impact on Historic and Archeological Resources**
 - The action is located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.
- 11. Impact on Open Space and Recreation – No impact**
- 12. Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. Impact on Transportation – No impact**
- 14. Impact on Energy – No impact**
- 15. Impact on Noise, Odor and Light – No impact**

16. Impact on Human Health – No impact

17. Consistency with Community Plans

- This action produces a more restrictive zoning classification.

18. Consistency with Community Character

- This action is consistent with the character of the neighborhood.

and,

BE IT FURTHER

RESOLVED, that the MRC’s recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	VOTED	YES
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCracken	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

August 3, 2015

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED
BY COUNCIL MEMBER STEMPIAK FOR ADJOURNMENT OF THE MEETING,
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	VOTED	YES
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCracken	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The meeting was adjourned at 6:27 P.M.

Signed _____
Johanna M. Coleman, Town Clerk